

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3212-01
Bill No.: SB 762
Subject: Children and Minors; Courts, Juvenile; Family Services Division; Guardians;
Licenses-Miscellaneous; Social Services Department
Type: #Corrected
Date: January 20, 2004
#Corrected information from Department of Social Services

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
General	(\$35,342)	(\$35,342)	(\$35,342)
Total Estimated Net Effect on General Revenue Fund	(\$35,342)	(\$35,342)	(\$35,342)

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Criminal Records System Fund	\$63,529	\$60,293	\$59,855
Total Estimated Net Effect on <u>All</u> State Funds	\$63,529	\$60,293	\$59,855

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Federal	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

*Federal Funds of approximately \$39,000 to unknown annually would net to \$0.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume this proposal would not fiscally impact their agency.

#Officials from the **Department of Social Services - Children's Division (CD)** state cost of fingerprinting is \$14.00 for the Missouri State Highway Patrol search and \$24.00 for the FBI search. The CD estimates 979 new homes with an average of two adults per home, for whom background checks must be completed. The estimated cost would be \$74,404.

#Due to the uncertainty of the intent of section 210.762, it is not possible to fully determine the fiscal impact.

#Officials from the **Department of Social Services - Office of Early Childhood (OEC)** state there would be no cost.

Officials from the **Secretary of State's Office (SOS)** state this proposal modifies the law relating to children's protective services. This will result in the Division of Family Services promulgating rules which would be published in the *Missouri Register* and the *Code of State Regulations*. Based on experience with other divisions, the rules, regulations and forms issued by

ASSUMPTION (continued)

the Division of Family Services could require as many as 18 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the Code is \$27. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded or withdrawn. SOS estimates the cost for FY 05 to be \$1,107.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Health and Senior Services (DOH)** state this proposal allows the required registration to be done through the Family Care Safety Registry. However, the DOH states statutes governing the Family Care Safety registration (Section 210.900 to 210.936) do not require fingerprinting thus enabling only a name-based search for a criminal history check. Therefore, the DOH assumes that if a fingerprint check were to be required, the provider would absorb any subsequent costs.

#Officials from the **Department of Public Safety - Criminal Records and Identification Division (CRI)** responded to our fiscal note request and calculated a cost based on 24,841 fingerprints. They obtained this number by contacting the appropriate state agencies. However, in their response to Oversight, the CD reported 979 would need background checks and OEC reported 4,562 would need background checks. Oversight has used MHP's formula to recalculate the cost based on 5,541 applicants. Based on this volume, one-half additional FTE would be required. The CRI would have this individuals work 2nd and 3rd shift so no new equipment would be needed.

The CRI would collect \$38 and pass the \$24 fee from the Federal background checks and pass this on to the FBI.

The CRI estimates the Information System Division (ISD) of the Department of Public Safety would incur additional state data center costs of approximately \$1,000 per year.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
GENERAL REVENUE			
<u>Costs - Department of Social Services - Children's Division</u>			
# Fingerprinting costs (979 per year)	<u>(\$35,342)</u>	<u>(\$35,342)</u>	<u>(\$35,342)</u>
#ESTIMATED NET EFFECT TO GENERAL REVENUE	<u>(\$35,342)</u>	<u>(\$35,342)</u>	<u>(\$35,342)</u>
CRIMINAL RECORDS SYSTEM FUND			
<u>Revenue – Department of Public Safety - Missouri State Highway Patrol</u>			
# Fingerprint fees (5,541 x \$38)	\$210,558	\$210,558	\$210,558
<u>Costs – Department of Public Safety - Missouri State Highway Patrol</u>			
# Pass through to FBI (5,541 x \$24)	(\$132,984)	(\$132,984)	(\$132,984)
# Personal Services (.5 FTE)	(\$9,307)	(\$11,448)	(\$11,734)
# Fringe benefits	(\$3,853)	(\$4,739)	(\$4,858)
# Expense and Equipment	<u>(\$885)</u>	<u>(\$1,094)</u>	<u>(\$1,127)</u>
<u>Total Costs - Department of Public Safety - Missouri State Highway Patrol</u>	<u>(\$147,029)</u>	<u>(\$150,265)</u>	<u>(\$150,703)</u>
ESTIMATED NET EFFECT ON CRIMINAL RECORDS SYSTEM FUND	<u>\$63,529</u>	<u>\$60,293</u>	<u>\$59,855</u>

FEDERAL

Income - Department of Social Services

# Federal Assistance	\$39,062	\$39,062	\$39,062
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Costs - Department of Social Services -

Children's Division

# Fingerprinting costs	<u>(\$39,062)</u>	<u>(\$39,062)</u>	<u>(\$39,062)</u>
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ESTIMATED NET EFFECT ON FEDERAL FUNDS

<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Local Government

FY 2005 (10 Mo.)	FY 2006	FY 2007
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<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal modifies various provisions relating to foster care and protective services for children.

Applicants must submit fingerprints in addition to the required criminal background check. The Division of Family Services will have the authority to conduct a search for ex parte or full orders of protection using the automated court information system.

The Division shall provide standards and training for the licensing of prospective foster parents and performance-based criteria for the evaluation of licensed foster parents.

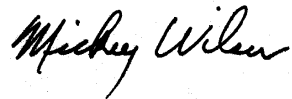
The age of the child's relative shall not be the only factor that the Division takes into consideration when making placement decisions and recommendations to the court regarding the placement of the child with that relative. The Division must adhere to the Indian Child Welfare Act (25 U.S.C. 1915) when placing a Native American child in protective custody.

DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Secretary of State
Department of Health and Senior Services
Department of Social Services
Department of Public Safety -
Missouri State Highway Patrol



Mickey Wilson, CPA
Director
January 20, 2004